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DATE: August 5, 2005

TO: Examiner Christopher L. Lavin  
TC Art Unit: 2621

Fax No.: (571) 273 8300

FROM: Holliday C. Heine, Ph.D.

No. of pages transmitted  
(including this page): 36

Our File: HSS-021XX

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Sent by: Rose

Application No. 09/869,638

Filed Date: February 8, 2002

Confirmation No.: 5891

A confirmation copy of this transmission will not be mailed unless the following is checked:

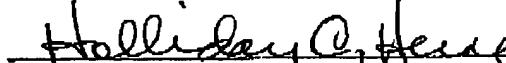
**MESSAGE**

**PLEASE DELIVER DIRECTLY TO:**  
**EXAMINER Christopher L. Lavin**  
**TC ART UNIT NO: 2621**

**FOR ENTRY**

Enclosed for filing please find a: **Response to Office Action including**  
**Attachments References Nattkemper et al and**  
**Schubert et al and a Request for 3 Months**  
**Extension of Time**

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional filing fees associated with this communication or credit any overpayment.

  
\_\_\_\_\_  
Attorney for Applicant: Holliday C. Heine, Ph.D.  
Registration No. 34,346

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Application No.: 09/869,638  
 Filed: February 8, 2002  
 TC Art Unit: 2621  
 Confirmation No.: 5891

Rev 07/05

**WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP**  
 Ten Post Office Square  
 Boston, Massachusetts 02109  
 Telephone: (617) 542-2290  
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Date: August 5, 2005

**Via Facsimile**  
**COMMISSIONER FOR PATENTS**  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**Attorney**  
**Docket No.: HSS-021XX**

Sir:

In re application of: Tim Wilhelm Nattkemper et al.

**Entitled: METHOD FOR THE AUTOMATIC ANALYSIS OF MICROSCOPE IMAGES**

Transmitted herewith is an amendment in the above-identified application. The following checked items are applicable:

This is a Request for Continued Examination under §1.114; authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$\_\_\_\_\_) per §1.17(e).  
 Enter the unentered amendment previously filed on \_\_\_\_\_ pcr §1.116.

A Petition for Extension of Time for 3 month is hereby made under §1.136(a); authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of same (\$510.00) per §1.17.

In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.

Other: Attachments to Response -References: Nattkemper et al and Schubert et al.

CLAIMS AFTER AMENDMENT:	MINUS PRIOR PAID CLAIMS:	EQUALS PRESENT EXTRA CLAIMS:	RATE:	ADDITIONAL FEE:
Independent	1 - 3	= -0-	x \$200.00 =	-0-
Total	15 - 20	= -0-	x \$ 50.00 =	-0-
<input type="checkbox"/> Multiple Dependent Claims (1st presentation)			+ \$360.00 =	-0-
			<b>Subtotal Additional Fee</b>	-0-
Small Entity filing, divide by 2. Small Entity status must be asserted.				-0-
			<b>Total Additional Fee</b>	-0-

No additional fee.  The fee has been calculated above; authorization is provided herewith to charge Deposit Account No. 23-0804 (\$\_\_\_\_\_) for the cost of same.

The Commissioner is hereby authorized to charge payment of any additional filing fees under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Christopher L. Lavin, TC Art Unit 2621, Fax No. (571) 273 8300, on Aug. 5, 2005

*Holliday C. Heine*  
 Attorney of Record: Holliday C. Heine, Ph.D.  
 Registration No.: 34,346

HCH/raw 324975-1

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AUG 05 2005

PATENT

Rev 07/05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Tim Wilhelm Nattkemper et al.  
Application No. : 09/869,638  
Filed : February 8, 2002  
Confirmation No. : 5891  
For : METHOD FOR THE AUTOMATIC ANALYSIS OF  
MICROSCOPE IMAGES  
Examiner : Lavin, Christopher, L.  
Attorney's Docket : HSS-021XX

TC Art Unit: 2623

I hereby certify that this correspondence is being sent via facsimile to Examiner Christopher L. Lavin, TC Art Unit 2621, Fax No. (571) 273 8300, on Aug. 5, 2005.

By: Holliday C. Heine  
Holliday C. Heine, Ph.D.  
Registration No. 34,346  
Attorney for Applicant(s)

Via Facsimile  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated February 7, 2005,  
please amend the above-identified patent application as follows.

WEINCARTEN, SCHURGIN,  
GAGNEBIN & LEBOVICI LLP  
TCL - (617) 542-3290